

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

CASE NO.: 18-02521-5-DMW
CHAPTER 13

IN RE:
BENITA W SCOTT
9052 CHELSEA DRIVE
RALEIGH, NC 27603

DEBTOR

TRUSTEE'S MOTION TO DISMISS

The undersigned Chapter 13 Trustee hereby moves the Court to dismiss the above-referenced case for the reason(s) set forth below:

1. The Debtor has not provided the Trustee with a copy of the filed federal and/or state tax return for the year(s): 2017.

WHEREFORE, based upon the foregoing, and such other causes that may arise between the date of this Motion and the date of any hearing hereon, this case should be dismissed pursuant to 11 U.S.C. §1307, and the Trustee also respectfully requests that the Court grant to the Trustee any other relief the Court deems just and proper.

DATED: November 07, 2018

/s/ John F. Logan

John F. Logan
Chapter 13 Standing Trustee
Eastern District of North Carolina
NC State Bar No. 12473
PO Box 61039
Raleigh, NC 27661-1039
Telephone: (919) 876-1355

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NOTICE OF MOTION

John F. Logan, Chapter 13 Trustee has filed papers with the Court to dismiss this case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).

If you do not want the Court to grant the relief sought in the motion, or if you want the Court to consider your views on the Motion, then within twenty-one (21) days of this Notice, unless otherwise ordered, you or your attorney must file with the Court, pursuant to Local Rule 9013-1 and 9014-1, a written response, an answer explaining your position, and a request for hearing at:

US Bankruptcy Court
Eastern District of North Carolina
PO Box 791
Raleigh, NC 27602

If you mail your response to the Court for filing, you must mail it early enough so the Court will **receive** it within twenty-one (21) days of this Notice.

If a response and a request for hearing is filed in timely, a hearing will be conducted on the Motion at a date, time and place to be later set and all parties will be notified accordingly.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that relief.

DATED: November 07, 2018

/s/ John F. Logan
John F. Logan
Chapter 13 Standing Trustee
Eastern District of North Carolina
NC State Bar No. 12473
PO Box 61039
Raleigh, NC 27661-1039
Telephone: (919) 876-1355

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BENITA W SCOTT

DEBTOR

CERTIFICATION OF SERVICE

I, Nancy Burton, of PO Box 61039, Raleigh, NC 27661-10139, do certify:

That I am, and at all times hereinafter mentioned was, more than eighteen(18) years of age; and

That I have this day served copies of the foregoing Trustee's Motion to Dismiss and Notice of Motion on the parties listed below by depositing a copy of same in the United States mail bearing sufficient postage, or if such interested party is a Filing User, by serving such interested party by electronic transmission, pursuant to Local Rule 5005-4(9)(b).

DATED: November 07, 2018

/s/Nancy Burton
Case Administrator

By U.S. Mail:

DEBTOR
BENITA W SCOTT
9052 CHELSEA DRIVE
RALEIGH, NC 27603

By CM/ECF:

ATTORNEY FOR DEBTOR
DANNY BRADFORD
PAUL D. BRADFORD, PLLC
455 SWIFTSIDE DR., STE. 106
CARY, NC 27518-7198